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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 EON CORP. IP HOLDINGS, LLC, No. C-12-1011 EMC
9 Plaintiff,
10 v.
11 SENSUS USA, INC., *et al.*, **ORDER RE SETTLEMENT**
12 Defendants. **DISCOVERY DISPOSITION**
(Docket Nos. 610, 611)

ORDER RE SETTLEMENT AND DISCOVERY DISPUTES

(Docket Nos. 610, 611)

15 Plaintiff in this case has recently concluded a settlement agreement with Defendant T-Mobile
16 USA, Inc. At a case management conference on December 14, 2012, this Court ordered Plaintiff to
17 submit a letter by December 28, 2012 indicating whether it intended to pursue claims against
18 Defendant Kineto, in light of the fact that at least some of these claims were related to the claims
19 against T-Mobile. Docket No. 608. If Plaintiff opted not to abandon its claims against Kineto,
20 Kineto indicated that it would file a motion for summary judgment to be heard on March 7, 2013.
21 The Court also stayed depositions against Kineto until further notice.

22 On December 28, 2012, Plaintiff submitted a letter stating that it was unable to determine
23 whether some or all of its claims against Kineto were covered by the settlement agreement because
24 Kineto had not provided certain discovery about Kineto's sales of allegedly infringing products and
25 services to T-Mobile and to other customers. Docket No. 610. Plaintiff requested that it be allowed
26 to take further discovery of Kineto, including depositions. Kineto disputes that Plaintiff needs any
27 further discovery to determine the application of the T-Mobile settlement agreement to Kineto.
28 Kineto also contends that Plaintiff has not complied with Patent L.R. 3-1 with respect to its

1 infringement contentions against Kineto as to non-T-Mobile customers. Docket No. 611. Kineto
2 further requested that this Court order a mandatory settlement conference on these issues. The
3 parties also dispute whether EON should now be permitted to take Kineto's deposition.

4 This case has already been referred to Magistrate Judge Laporte for discovery matters.

5 | Accordingly, this Court refers the following disputes to Judge Laporte:

18 Additionally, this case is hereby referred for assignment to a magistrate judge on an emergency basis
19 for a mandatory settlement conference to take place no later than January 31, 2013. To allow time
20 for the settlement conference, the hearing date for Kineto's motion for summary judgment, if
21 necessary, is re-set to March 28, 2013 at 1:30 p.m.

23 || IT IS SO ORDERED.

25 | Dated: January 4, 2013


EDWARD M. CHEN
United States District Judge